

NEWS RELEASE



***OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California***

***United States Attorney
Carol C. Lam***

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For Immediate Release

NEWS RELEASE SUMMARY - October 31, 2006

United States Attorney Carol C. Lam announced that Mario Alvarez and Samuel McClaren, former Supervisory Patrol Agents with the United States Border Patrol who previously pled guilty to receiving bribes from an alien smuggling organization, were sentenced today in federal court in San Diego by the Honorable John A. Houston, United States District Judge. Alvarez was sentenced to serve 75 months in custody and three years of supervised release, and was ordered to cooperate with the Internal Revenue Service (IRS) in the assessment and payment of his unpaid taxes. Prior to sentencing, Alvarez forfeited bribery proceeds in the amount of \$100,300. McClaren was sentenced to serve 78 months in custody and three years of supervised release, and was ordered to cooperate with the IRS in the assessment and payment of his unpaid income taxes. Judge Houston also entered a judgment against McClaren in the amount of \$78,344.72, representing the amount of the bribery proceeds that McClaren failed to forfeit prior to sentencing. Judge Houston ordered both Alvarez and McClaren immediately into custody due to the grave nature of the offenses.

According to Assistant U.S. Attorneys Timothy F. Salel and Paul L. Starita, who prosecuted the case, on July 7, 2006, Alvarez and McClaren each pled guilty to one count of bribery and one count of filing false

tax returns. In their plea agreements, Alvarez and McClaren admitted to receiving a combined total of \$186,240 in bribes from an alien smuggling organization for helping to smuggle aliens and release aliens in Imperial County, California. In connection with their guilty pleas, each defendant admitted that he received these bribes in exchange for failing to enforce, and for violating, the immigration laws of the United States. In particular, the defendants admitted that they released numerous illegal aliens from the custody and control of Customs and Border Protection, Department of Homeland Security, to members of an alien smuggling organization in exchange for cash payments. They also admitted releasing into the United States previously apprehended members of the alien smuggling organization, also illegal aliens, from the custody of the Department of Homeland Security in exchange for cash payments.

United States Attorney Lam said, “These veteran agents succumbed to greed, pure and simple. While on duty, they smuggled illegal aliens, released criminal aliens from custody, compromised criminal investigations, and jeopardized the safety of their fellow agents.”

Richard L. Skinner, Inspector General of the U.S. Department of Homeland Security (DHS), Office of Inspector General (OIG) said, “The men and women of the Border Patrol continue to enjoy an outstanding and professional reputation as our country's first line of defense of our international borders. Their work increases our country's border security and national security. Today's sentencing of two Supervisory Border Patrol Agents restores the public's confidence in federal law enforcement that serve to protect our citizens and identify corruption that compromises our national security. The OIG will continue to be committed to working with our law enforcement partners to identify and aggressively investigate all allegations of corruption to protect our borders and the integrity of DHS personnel, programs, and operations.”

Kenneth J. Hines, Special Agent in Charge of the IRS Criminal Investigation Division, said, “Let today's sentencing demonstrate to the public that federal and local law enforcement agencies stand committed to eradicate border corruption, particularly among the few who choose to tarnish the badge for money. Honorable agents and officers make up the overwhelming majority and represent personal commitment to uphold and respect the laws. We will not tolerate those, regardless of their position, who selfishly place our

country's security in harm's way for their personal financial benefit. The public can be confident that their security and the integrity of our tax system are our highest priorities.”

"This investigation represents an important stride in ICE's commitment to dismantle criminal organizations that are driven by only one thing - money, said James Wong, Associate Special Agent in Charge for ICE Office of Professional Responsibility in San Diego. "We will continue to aggressively attack the corrupt and greed-driven criminal schemes that threaten our border security by bringing down their lucrative and longstanding criminal networks from top to bottom."

Carl L. McClafferty, Chief Patrol Agent, U.S. Border Patrol, El Centro Sector said, “The U.S. Border Patrol does not tolerate criminal behavior by any of its personnel. This kind of criminal behavior does not reflect the outstanding work the other 800 professional agents in Imperial County, risking their lives every day, being America’s first line of defense.”

FBI Special Agent in Charge Daniel R. Dzwilewski commented, "The outrageous conduct of Alvarez and McClaren tarnishes the reputation of all federal officers who protect our nation's borders. Alvarez and McClaren traded the security of our country for personal profit. Today's sentence demonstrates that such traitorous actions will not go unpunished. The FBI and its law enforcement partners will continue to hold these shameless individuals accountable."

DEFENDANTS

Case Number: 06CR0466-JAH

Mario Alvarez
Samuel McClaren

SUMMARY OF CHARGES

Title 18, United States Code, Section 201(b)(2)(A) and (c) - Bribery
Title 26, United States Code, Section 7206(1) - Filing False Tax Return
Title 18, United States Code, Section 982(a)(6) - Criminal Forfeiture

AGENCIES

Department of Homeland Security, Office of Inspector General

Internal Revenue Service, Criminal Investigation

Department of Homeland Security, ICE - Office of Professional Responsibility

U.S. Border Patrol

Federal Bureau of Investigation